K

1950.

File No. B. Merged Areas & Enclaves

Legal Dept 50

B BRANCH

Subject:— A Bill to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amdt. of Laws) Act, 1950

L.A. Bill No XLVIII of 1950

Bom. Act No XLIII of 1950

P-13
E

File No. B. Merged Areas & Enclaves (Amdt.) /50

Gen. 194

814-B

Legal Department.

A requisite draft Bill is sent herewith.

2. The subject matter of the Bill ~~is~~ falls under entry 18 of List II in the Seventh Schedule to the Constitution. The Bill does not require any recommendation or sanction. It is not necessary to reserve the Bill for the consideration of the President with reference to article 254(2) of the Constitution.

C.E. Sd/-

Additional Secretary to Government.

U.R. to R.D. No. 11475 dated the 11th August 1950.

C.G.R. 22-6

C 5

IMMEDIATE.

No. 15942
Legal Department,
Bombay Castle (Bombay No.1), 15th November, 1950.

From

Shri J.R. Dhurandhar,
Additional Sectrtary to the Government of Bombay,
Legal Department.

To

The Secretary to the Governor of Bombay,

Subject:- The Bombay Merged Areas, Enclaves specified Areas (Amendment of laws) (Amendment) Bill, 1950.

Sir,

With reference to article 200 of the Constitution of India, I am directed to forward herewith for the assent of His Excellency the Governor the authentic copy of the Bombay Merged Areas Enclaves and Specified Areas (Amendment of Laws) (Amendment) Bill, 1950, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 25th and the 26th October 1950, respectively.

2. The subject-matter of the Bill falls under entry 18 in List II in the Seventh Schedule to the Constitution of India. As the Bill does not relate to any matter enumerated in the Concurrent Legislative List, it is not necessary to reserve the Bill for the Consideration of the President with reference to article 254(2) of the Constitution of India.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one copy of each of the

1. Bills as introduced in the Bombay Legislative Assembly with the Statement of the Objects and Reasons.
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.
3. Bill as read for the third time and passed by the Bombay Legislative Council.
4. Extracts from the proceedings as of the Bombay Legislative Assembly dated the 25th October 1950 and of the Bombay Legislative Council dated the 26th October 1950.

items Nos. 1, 2 and 4 and two copies of

item No. 3 of the papers noted in the margin.

The Bill was not referred to a Select Committee.

Yours faithfully,

O.C. Sd/-

Additional Secretary to Government.

Through:

The Secretary to the Government of Bombay,
Revenue Department.

C.G.R. 22-6-

C 5

No.G.S. 3499

From

THE SECRETARY TO THE GOVERNOR OF BOMBAY

To

The Additional Secretary to Government,
Legal Department.

Government House,

Bombay 6, November 20, 1950.

Subject: The Bombay Merged Areas, Enclaves and specified Areas (Amendment of Laws) (Amendment) Bill, 1950.

Sir,

With reference to your letter No. 15942, dated November 15, 1950, I am directed to return herewith the authentic copy of the Bombay Merged Areas, Enclaves and specified Areas (Amendment of Laws) (Amendment) Bill, 1950, with His Excellen the Governor's assent signified thereon.

Yours faithfully,

Sd/-

Secretary to the Governor of Bombay.

C.G.R. 22-6-

C 5

Acts.

Publication of the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) (Amendment) Act, 1950.

GOVERNMENT OF BOMBAY,
Legal Department,
Resolution No. 16468

Bombay Castle, 23rd November 1950.

Letter to the Secretary to the Governor, No. 15942, dated the 15th November 1950.

Letter from the Secretary to the Governor, No.G.S. 3499, dated the 20th November 1950.

"With reference to your letter No. 15942, dated November 15, 1950, I am directed to return herewith the anthentic copy of the Bombay Merged Areas, Enclaves and specified Areas (Amendment of Laws) (Amendment) Bill, 1950, with His Excellency the Governor's assent signified thereon".

RESOLUTION:- The law should be published as Bombay Act, No.XLIII of 1950, in the Bombay Government Gazette dated the 23rd November 1950.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindi (in Devnagari script) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Revenue Department with reference to the Memorandum from that Department No. 6816/45/67583-F, dated the 28th September 1950.

By order of the Governor of Bombay,

Sd/- (S.L. Ghaudhari).
Assistant Secretary to Government.

To
The Manager, GovernmentCentral Press, Bombay (with a copy of the Act and with a requestthat 30 Gazette copies of the Act may be forwarded to the Legal Department),
The Revenue Department)
The Oriental Translator to Government) with a
(with five extra copies of the Act)
The Bombay Legislature Department,) copy of
The Director of Publicity, Bombay,)
The Enquiry Officer for the Secretariat, Bombay.) the Act.

* With 5 extra copies of the Act.

L. A. BILL No. XLVIII OF 1950.

A Bill to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950.

(As published in the "Bombay Government Gazette" of the 30th September 1950.)

WHEREAS it is expedient to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Bom. XXII of 1950.

1. This Act may be called the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) (Amendment) Act, 1950. **Short title.**

2. In the long title of, and preamble to, the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950 (hereinafter referred to as the said Act), for the words "in its" the words and figures "and the Bombay Tenancy and Agricultural Lands Act, 1948, in their" shall be substituted. **Amendment of long title of, and preamble to, Bom. XXII of 1950.**

Bom. XXII of 1950.

3. After section 4 of the said Act, the following shall be added, namely :— **Insertion of new Chapter IV in Bom. XXII of 1950.**

"CHAPTER IV.

AMENDMENT OF BOMBAY ACT No. LXVII OF 1948.

5. In this chapter 'enclave' and 'specified area' shall have the same meaning as assigned to them in section 2. **Definitions.**

Amendment of Bom. LXVII of 1948 in its application to enclaves and specified areas.

6. Notwithstanding anything contained in the States' Merger (Bombay) Order, 1950, the Provinces and States (Absorption of Enclaves) Order, 1950, and the India and Hyderabad (Exchange of Enclaves) Order, 1950, the Bombay Tenancy and Agricultural Lands Act, 1948, shall, in its application to the areas specified in Schedules I and II appended to this Act, be subject to the following modifications, namely :— Bom. LXVII of 1948.

In the said Act—

(*1*) in section 2, for clause (*3*) the following shall be substituted, namely :—

"(*3*) "Co-operative Society" means a society registered under any of the provisions corresponding to those contained in the Bombay Co-operative Societies Act, 1925, in force in any of the enclaves or specified areas, as the case may be, or a society registered under the said Act";

Bom. VII of 1925.

(*2*) in column 4 of the Schedule annexed to the said Act,—

(*a*) in section 3A of the Bombay Tenancy Act, 1939, referred to therein, for the words and figures "the eighth day of November 1947" the words and figures "the 25th day of January 1951" shall be substituted;

Bom. XXIX of 1939.

(*b*) in the proviso to sub-section (*1*) of section 4 of the Bombay Tenancy Act, 1939, referred to therein— Bom. XXIX of 1939.

(*i*) reference to "section 9 of the Bombay Small Holders Relief Act, 1938" shall be read as reference to "any enactment corresponding to section 9 of the Bombay Small Holders Relief Act, 1938, if any, in force in any of the enclaves or specified areas, as the case may be";

Bom. VIII of 1938.

(*ii*) for the words and figures "the eighth day of November 1946" the words and figures "the 25th day of January 1950" shall be substituted;

(*c*) in sub-section (*2*) of section 4 of the Bombay Tenancy Act, 1939, referred to therein,— Bom. XXIX of 1939.

(*i*) for the words and figures "eighth day of November 1946" the words and figures "the 25th day of January 1950" shall be substituted;

(*ii*) in clause (*b*) (*i*) for the figures, letters and words "31st day of May 1947" the figures, letters and words "31st day of May 1951" shall be substituted;

(*iii*) in clause (*b*) (*ii*) for the figures, letters and words "1st day of June 1947" the figures, letters and words "1st day of June 1951" shall be substituted."

STATEMENT OF OBJECTS AND REASONS.

The Bill seeks to amend the Bombay Tenancy and Agricultural Lands Act, 1948, in its application to the enclaves and areas absorbed in the State of Bombay under the Provinces and States (Absorption of Enclaves) Order, 1950, the India and Hyderabad (Exchange of Enclaves) Order, 1950, and the States' Merger (Bombay) Order, 1950. Suitable alterations in the dates specified in different sections of the Act have been made in order to see that the persons residing in these areas and enclaves get adequate facilities to take the advantage of the provisions of the legislation enacted for the relief of tenants.

Dated the 26th September 1950. MORARJI DESAI.

L. A. BILL No. XLVIII OF 1950.

A Bill to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950.

(As read for the third time and passed by the Legislative Assembly on the 25th October 1950.)

WHEREAS it is expedient to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Bom. XXII of 1950.

1. This Act may be called the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) (Amendment) Act, 1950. **Short title.**

2. In the long title of, and preamble to, the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950 (hereinafter referred to as the said Act), for the words " in its " the words and figures " and the Bombay Tenancy and Agricultural Lands Act, 1948, in their " shall be substituted. **Amendment of long title of, and preamble to, Bom. XXII of 1950.**

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Dated the 26th September 1950. MORARJI DESAI.

Government of Bombay

LEGAL DEPARTMENT

[L. A. BILL No. XLVIII OF 1950.]

(As read for the third time and passed by the Legislative Assembly on the 25th October 1950.)

A Bill to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950.

[Shri MORARJI DESAI, M.L.A.]

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Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV

Acts of the Bombay Legislature and Ordinances promulgated and Regulations made by the Governor.

CONTENTS.

	PAGES
BOMBAY ACT No. XLIII OF 1950—An Act to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950	507-508

The following Act of the Bombay Legislature having been assented to by the Governor on the 19th November 1950 is hereby published for general information.

J. R. DHURANDHAR,
Additional Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XLIII OF 1950.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 23rd November 1950.)

An Act to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950.

WHEREAS it is expedient to amend the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) Act, 1950, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Bom. XXII of 1950.

1. This Act may be called the Bombay Merged Areas, Enclaves and Specified Areas (Amendment of Laws) (Amendment) Act, 1950. Short title.

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(*iii*) in clause (*b*) (*ii*) for the figures, letters and words " 1st day of June 1947 " the figures, letters and words " 1st day of June 1951 " shall be substituted.".

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.